RESPECTFULLY SUBMITTED this 14th day of August, 2006. STINSON MORRISON HECKER LLP By: /s/ Jeffrey J. Goulder Jeffrey J. Goulder Matthew B. Meaker 1850 N. Central Avenue, Suite 2100 Phoenix, Arizona 85004-4584 Attorneys for Plaintiff HAMMOND & TOBLER, P.C. By: /s/ Doug Tobler Doug Tobler 1212 E. Osborn Road Phoenix, Arizona 85014-5531 Attorneys for

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I hereby certify that on this 14th of August, 2006, I caused the foregoing to be filed electronically with the Clerk of the Court through ECF and that ECF will send an e-notice of the electronic filing to all registered ECF participants. A courtesy copy of the foregoing was hand-delivered to the Honorable Robert C. Broomfield on the 14th day of August, 2006.

/s/ MaryEllen Santana